

**2nd AMENDED  
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office ~~JUN 01 2004~~ NEW PRIORITY DATE: OCT 30 2006  
 Returned to applicant for correction JUN 22 2004  
 Corrected application filed AUG 13 2004  
 Map filed AUG 13 2004

\*\*\*\*\*

The applicant **John and Donnene Mathews** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit 43771, Certificate 15185**

\*\*\*\*\*

1. The source of water is **underground**
2. The amount of water to be changed **0.09 c.f.s. (27.5 Ac. Ft. per season)**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point of diversion for Permit ~~20289~~ <sup>20829</sup>, Cert. 7402: **within the SE¼ NE¼ Section 6, T.1S., R.69E., M.D.M., or at a point from which the southeast corner of said Section 6 bears S02°00'09"E. 3400.3 Ft.** - Swathian -  
1/7/08
6. The existing permitted point of diversion is located within **the SW¼NW¼ Section 32, T.1N., R.69E., MDM at a point from which the northeast corner of said Section 32 bears N 66° E, 5300 ft.**
7. Proposed place of use **in the SE¼NE¼ Section 6, T.1S., R.69E., MDM and the SW¼NW¼ Section 5 T.1S., R.69E., MDM**
8. Existing place of use **5.5 Acres within the NW¼SW¼ Section 32, T.1N., R.69E., MDM**
9. Use will be from **May 1st to October 31st** of each year.
10. Use was permitted from **May 1st to October 31st** of each year.
11. Description of proposed works **Existing except approx. 450' of mainline pipe**
12. Estimated cost of works **\$7,000**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks:

By **Lenard D. Smith**  
**s/ Lenard D Smith Agent**  
**P O Box 443**  
**Caliente, NV 89008**

Compared sc/ sam 1t/ gk1

Protested \_\_\_\_\_

\*\*\*\*\*

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 43771, Certificate 15185 is issued subject to the terms and conditions imposed in said Permit 43771, Certificate 15185 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.09 cubic feet per second, but not to exceed 27.5 acre-feet seasonally, and not to exceed a seasonal duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 9, 2006

Proof of completion of work shall be filed on or before:

July 9, 2006

Water must be placed to beneficial use on or before:

June 9, 2008

Proof of the application of water to beneficial use shall be filed on or before:

July 9, 2008

Map in support of proof of beneficial use shall be filed on or before:

July 9, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 9th day of June A.D. 2005

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

~~CANCELLED OCT 09 2006 BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH THE  
PROVISIONS OF PERMIT  
Jerry Taylor P.E. STATE ENGINEER  
Can. Rescinded 5-24-2007~~